

American Public Communications, Inc.

TITLE SHEET

KENTUCKY TELECOMMUNICATIONS TARIFF

This tariff contains the descriptions, regulations, and rates applicable to the furnishing of service and facilities for interLATA telecommunications services provided by AMERICAN PUBLIC COMMUNICATIONS, INC., hereinafter in the text of this tariff referred to as "APC, Inc.," with principal offices at Texas Commerce Bank Bldg., 3200 Broadway, Suite 360, Garland, Texas 75043. This tariff applies for services furnished within the state of Kentucky. This tariff is on file with the Kentucky Public Service Commission, and copies may be inspected, during normal business hours, at the Company's principal place of business.

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE

Issued: September 12, 1991

Effective: OCT 11 1991

By: Jerry Clawson, President
AMERICAN PUBLIC COMMUNICATIONS, INC.
3200 Broadway, Suite 360
Garland, Texas 75043

PURSUANT TO 807 KAR 5.011,
SECTION 9(1)
BY: [Signature]
PUBLIC SERVICE COMMISSION MANAGER

CHECK SHEET

Sheets 1 through 18 inclusive of this tariff are effective as of the date shown at the bottom of the respective sheet(s). Original and revised sheets as named below comprise all changes from the original tariff and are currently in effect as of the date on the bottom of this page.

SHEET	REVISION
1	Original
2	Original
3	Original
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16	Original
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18	Original

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SYMBOLS

The following are the only symbols used for the purposes indicated below:

- D - Delete or Discontinue
- I - Change Resulting In An
Increase to A Customer's Bill
- M - Moved From Another Tariff Location
- N - New
- R - Change Resulting In A
Reduction to A Customer's Bill
- T - Change In Text or Regulation
But No Change In Rate or Charge

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TARIFF FORMAT

- A. Sheet Numbering - Sheet numbers appear in the upper right corner of the page. Sheets are numbered sequentially. However, new sheets are occasionally added to the tariff. When a new sheet is added between sheets already in effect, a decimal is added. For example, a new sheet added between sheets 14 and 15 would be 14.1.
- B. Sheet Revision Numbers - Revision numbers also appear in the upper right corner of each page. These numbers are used to determine the most current sheet version on file with the KPSC. For example, the 4th revised Sheet 14 cancels the 3rd revised Sheet 14. Because of various suspension periods, deferrals, etc. the KPSC follows in their tariff approval process, the most current sheet number on file with the Commission is not always the tariff page in effect. Consult the Check Sheet for the sheet currently in effect.
- C. Paragraph Numbering Sequence - There are nine levels of paragraph coding. Each level of coding is subservient to its next higher level:
- 2.
 - 2.1.
 - 2.1.1.
 - 2.1.1.A.
 - 2.1.1.A.1.
 - 2.1.1.A.1.(a).
 - 2.1.1.A.1.(a).I.
 - 2.1.1.A.1.(a).I.(i).
 - 2.1.1.A.1.(a).I.(i).(1).

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TARIFF FORMAT (Cont'd.)

- D. Check Sheets - When a tariff filing is made with the KPSC, an updated check sheet accompanies the tariff filing. The check sheet lists the sheets contained in the tariff, with a cross reference to the current revision number. When new pages are added, the check sheet is changed to reflect the revision. All revisions made in a given filing are designated by an asterisk (*). There will be no other symbols used on this page if these are the only changes made to it (i.e., the format, etc. remains the same, just revised revision levels on some pages). The tariff user should refer to the latest check sheet to find out if a particular sheet is the most current on file with the KPSC.

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SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS

Access Line - An arrangement which connects the customer's location to an APC, Inc. switching center.

Authorization Code - A numerical code, one or more of which are available to a customer to enable him/her to access the carrier, and which are used by the carrier both to prevent unauthorized access to its facilities and to identify the customer for billing purposes.

Company or Carrier - APC, Inc.

Customer - The person, firm, corporation or other entity which orders service and is responsible for payment of charges due and compliance with the company's tariff regulations.

Day - From 8:00 AM up to but not including 5:00 PM local time Monday through Friday.

Evening - From 5:00 PM up to but not including 11:00 PM local time Sunday through Friday.

Holidays - APC, Inc.'s recognized holidays are New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day, and Christmas Day.

Night/Weekend - From 11:00 PM up to but not including 8:00 AM Sunday through Friday, and 8:00 AM Saturday up to but not including 5:00 PM Sunday.

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SECTION 2 - RULES AND REGULATIONS

2.1 Undertaking of APC, Inc.

APC, Inc. services and facilities are furnished for communications originating at specified points within the state of Kentucky under terms of this Tariff.

APC, Inc. installs, operates, and maintains the communication services provided hereinunder in accordance with the terms and conditions set forth under this Tariff. It may act as the customer's agent for ordering access connection facilities provided by other carriers or entities when authorized by the customer, to allow connection of a customer's location to the APC, Inc. network. The customer shall be responsible for all charges due for such service arrangement.

2.2 Limitations

2.2.1 Service is offered subject to the availability of facilities and the provisions of this Tariff.

2.2.2 APC, Inc. reserves the right to discontinue furnishing service, or limit the use of service necessitated by conditions beyond its control; or when the customer is using service in violation of the law or the provisions of this Tariff.

2.2.3 All facilities provided under this Tariff are directly controlled by APC, Inc. and the customer may not transfer or assign the use of service or facilities, except with the express written consent of The Company. Such transfer or assignment shall only apply where there is no interruption of the use or location of the service or facilities.

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SECTION 9 (1)

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SECTION 2 - RULES AND REGULATIONS (Cont'd.)

2.2 Limitations (Cont'd.)

- 2.2.4 Prior written permission from The Company is required before any assignment or transfer. All regulations and conditions contained in this Tariff shall apply to all such permitted assignees or transferees, as well as all conditions for service.

2.3 Liabilities of The Company

- 2.3.1 APC, Inc.'s liability for damages arising out of mistakes, interruptions, commissions, delays, errors, or defects in the transmissions occurring in the course of furnishing service or facilities, and not caused by the negligence of its employees or its agents, in no event shall exceed an amount equivalent to the proportionate charge to the customer for the period during which the aforementioned faults in transmission occur.
- 2.3.2 APC, Inc. shall be indemnified and held harmless by the customer against:
- (A) Claims for libel, slander, or infringement of copyright arising out of the material, data, information, or other content transmitted over The Company's facilities.
 - (B) All other claims arising out of any act or omission of the customer in connection with any service or facility provided by APC, Inc.

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SECTION 9 (1)
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SECTION 2 - RULES AND REGULATIONS (Cont'd.)

2.4 Interruption of Service

- 2.4.1 Credit allowance for the interruption of service which is not due to The Company's testing or adjusting, negligence of the customer, or to the failure of channels or equipment provided by the customer, are subject to the general liability provisions set forth in 2.3.1 herein. It shall be the obligation of the customer to notify The Company immediately of any interruption in service for which a credit allowance is desired. Before giving such notice, the customer shall ascertain that the trouble is not being caused by any action or omission by the customer with his control, or is not in wiring or equipment, if any, furnished by the customer and connected to The Company's facilities.
- 2.4.2 For purposes of credit computation, every month shall be considered to have 720 hours.
- 2.4.3 No credit shall be allowed for an interruption of a continuous duration of less than two hours.
- 2.4.4 The customer shall be credited for an interruption of two hours or more at the rate of 1/720th of the monthly charge for the facilities affected for each hour or major fraction thereof that the interruption continues.

Credit Formula:

$$\text{Credit} = \frac{A}{720} \times B$$

"A" - outage time in hours

"B" - total monthly charge for affected facility
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SECTION 2 - RULES AND REGULATIONS (Cont'd.)

2.5 Restoration of Service

The use and restoration of service shall be in accordance with the priority system specified in part 64, subpart D of the Rules and Regulations of the Federal Communications Commission.

2.6 Deposits

The Company does not require a deposit from the customer.

2.7 Taxes

All state and local taxes (i.e., gross receipts tax, sales tax, municipal utilities tax) are listed as separate line items and are not included in the quoted rates.

2.8 Special Conditions Governing Operator Services

Each customer subscribing to APC, Inc.'s operator services (see section 3.4.1) must disclose the following information to transient end users by displaying the following information supplied on stickers or tent cards provided by the Company:

- 1) Company name - AMERICAN PUBLIC COMMUNICATIONS, INC.
3200 Broadway, Suite 360
Garland, Texas 75043
- 2) Rates for operator services - operator service rates are available upon request.
- 3) Billing procedures - all operator services and long distance rates will be billed to the end user on their telephone bill.
- 4) IntraLATA dialing instructions - please consult your local telephone company directory or operator

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SECTION 2 - RULES AND REGULATIONS (Cont'd.)

2.8 Special Conditions Governing Operator Services (Cont'd.)

- 5) IntraLATA rates - please consult your local telephone company directory or operator.
- 6) InterLATA dialing instructions - dial 9 + 1 + area code + number.
- 7) InterLATA rates - dial APC, Inc. operator at 9 + 0 for interLATA long distance rates.

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SECTION 3 - DESCRIPTION OF SERVICE

3.1 Timing of Calls

The customer's long distance usage charge is based on the actual usage of APC, Inc. network. Usage begins when the called party picks up the receiver. When the called party picks up is determined by hardware answer supervision in which the local telephone company sends a signal to the switch or the software utilizing audio tone detection. When software answer supervision is employed, up to 42 seconds of ringing is allowed before it is billed as usage of the network. A call is terminated when either the calling party or the called party hangs up.

3.2 Calculation of Distance

Usage charges for all mileage sensitive products are based on the airline distance between rate centers associated with the originating and terminating points of the call.

The airline mileage between rate centers is determined by applying the formula below to the vertical and horizontal coordinates associated with the rate center involved. The Company uses the rate centers and associated vertical and horizontal coordinates that are produced by Bell Communications Research in their NPA-NXX V & H Coordinates Tape and Bell's NECA Tariff No. 4.

FORMULA:

$$\sqrt{\frac{(V1 - V2)^2 + (H1 - H2)^2}{10}}$$

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SECTION 3 - DESCRIPTION OF SERVICE (Cont'd.)

3.2 Calculation of Distance (Cont'd.)

EXAMPLE: Distance between Miami and New York City -

	<u>V</u>	<u>H</u>
Miami	8,351	529
New York	4,997	1,406
Difference	3,354	-879

Square and add: $11,249,316 + 772,641 = 12,021,957$ Divide by 10 and round: $12,021,957 / 10 = 1,202,195.70$
 $= 1,202,196$ Take square root and round: $1,202,196 = 1,096.4$
 $= 1,097 \text{ miles}$ 3.3 Minimum Call Completion Rate

A customer can expect a call completion, (number of calls completed/number calls attempted) of not less than 99% during peak use periods for all FGD services ("1+" dialing).

3.4 Service Offerings3.4.1 Operator Services

Operator service-assisted calls are timed according to section 3.1. Billing is in one minute increments and no customer will be billed for an uncompleted call.

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SECTION 3 - DESCRIPTION OF SERVICE (Cont'd.)

3.4 Service Offerings (Cont'd.)

3.4.1 Operator Services (Cont'd.)

3.4.1.A Operator services to end users presubscribed to The Company.

All operator services to end users who have pre-subscribed to APC, Inc.'s services or who have a contractual or working relationship with the Company are charged the rates for operator assistance as outlined in section 4.1.1.B.

3.4.1.B Operator services to local exchange company payphones, hotels, motels, and other transient locations.

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SECTION 4 - RATES

4.1 Operator Services

4.1.1 Operator Services are provided from Transient Locations, such as Hotels, Motels, Airports, etc. "APC" does not block access to other Carriers. All "O Minus" Calls will go directly to the Local Exchange Carrier and will not be blocked or intercepted. Termination of service will be in effect upon 20 days written notice to a property owner who violates the blocking and intercept regulations of this tariff and of the Customers's Contract. Service will also be terminated, with the same 20 day notice, for any violation of information posting requirements per the Customer Contract.

4.1.1.A Operator Services

Customer Dialed Calling Card	\$.80
Customer Dialed Collect	\$1.75
Operator Assisted Calling Card	\$1.75
Operator Assisted Collect	\$1.75
Person to Person	\$3.50

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SECTION 4 - RATES (Cont'd.)

4.1 Operator Services (Cont'd.)4.1.1.B Usage rates - Day

Mileage Band	1st min.	Add'l min.
1 - 10	\$.2600	\$.1900
11 - 16	.2600	.1900
17 - 22	.2600	.2276
23 - 30	.2600	.2276
31 - 55	.2945	.2845
56 - 85	.3125	.3025
86 - 124	.3319	.3219
125 - 196	.3515	.3415
197 - 292	.3894	.3794
293 over	.4084	.3984

4.1.1.B Usage rates - Evening

Mileage Band	1st min.	Add'l min.
1 - 10	\$.1950	\$.1425
11 - 16	.1950	.1425
17 - 22	.1950	.1707
23 - 30	.1950	.1707
31 - 55	.2209	.2134
56 - 85	.2344	.2269
86 - 124	.2489	.2414
125 - 196	.2636	.2561
197 - 292	.2921	.2846
293 over	.3063	.2988

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SECTION 4 - RATES (Cont'd.)

4.1 Operator Services Cont'd.)4.1.1.B Usage rates - Night/Weekend

<u>Mileage</u> <u>Band</u>	<u>1st min.</u>	<u>Add'l min.</u>
1 - 10	\$.1534	\$.1121
11 - 16	.1534	.1121
17 - 22	.1534	.1343
23 - 30	.1534	.1343
31 - 55	.1738	.1679
56 - 85	.1850	.1791
86 - 124	.1962	.1903
125 - 196	.2074	.2015
197 - 292	.2300	.2238
293 over	.2300	.2238

RATE PERIODS:

DAY: 8 AM - 5 PM* (Monday - Friday)

EVENING: 5 PM - 11 PM* (Sunday - Friday)

NIGHT/WEEKEND: 11 PM - 8 AM * (All Days)

* To, but not including.

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